

Chapter 6 – Environmental Health

Subchapter 1

Licensed Lodging Establishment Rule

1.0 Authority

This rule is adopted pursuant to 3 V.S.A. §§ 801(b)(11) and 3003(a); 18 V.S.A. §§ 102, and 4355.

2.0 Purpose

This rule provides the requirements for sanitation and licensing of lodging establishments to protect public health.

3.0 Scope

This rule applies to lodging establishments who maintain and rent units or cottages to the transient, traveling, and vacationing public.

4.0 Definitions

4.1 “Bed and breakfast” see “Lodging establishment.”

4.2 “Children’s camp” see “Lodging establishment.”

4.3 “Common area” means parts of an establishment that are open to all guests. The term includes, but not by way of limitation, hallways, stairways, and vending areas.

4.4 “Commissioner” means the Commissioner of the Vermont Department of Health.

4.5 “Department” means the Vermont Department of Health.

4.6 “Easily cleanable” means that surfaces which are readily accessible and made of such materials and finish, or so fabricated, that materials may be effectively removed by normal cleaning methods.

4.7 “Egress” means an exit or route leading out of a lodging establishment.

4.8 “Extended-stay” means a stay at a lodging establishment for more than 7 consecutive days.

4.9 “Extended-stay room” means a room within a lodging establishment in which a room is regularly rented for more than 7 consecutive days.

- 4.10** “Food service establishment” means any places where food that is intended for individual service and consumption is routinely provided completely prepared. The term includes any such place regardless of whether consumption is on or off the premises and regardless of whether there is a charge for food. The term does not include a private home where food is prepared for individual family consumption, and it does not include the location of food vending machines. Food service establishments that are located in or as part of a lodging place must maintain appropriate licenses.
- 4.11** “Food” means any raw, cooked, or processed edible substance, including ice, beverage or ingredient used or intended for use or for sale in whole or in part for human consumption.
- 4.12** “Hot tub” means a pool or container of water designated for recreational use in which one or more people can soak. A hot tub can use hydrojet circulation or an air induction system, or a combination of these, to provide water circulation.
- 4.13** “Hotel” see “Lodging establishments”
- 4.14** “Imminent health hazard” means a fire, flood, sewage backup, infestation, misuse of poisonous or toxic materials, gross unsanitary occurrence or condition, or any other condition that could endanger the health and safety of guests, employees, and the general public.
- 4.15** “Infestation” means the presence of any pest or bedbug that creates a health hazard or other risk to the preservation of public health.
- 4.16** “Kitchenette” means a compact kitchen with cooking utensils, tableware, refrigerator, cooking appliance (as in a stove or microwave), and sink.
- 4.17** “Linens” means the cloth items used in the lodging establishment, including sheets, bedspreads, blankets, pillowcases, mattress pads, towels, and washcloths.
- 4.18** “Lodging establishment” means every building or structure, or any part thereof, regularly used, maintained, advertised or held out to the transient traveling or vacationing public as a place where sleeping accommodations are furnished. The term includes, but not by way of limitation, hotels, motels, bed and breakfasts (tourist homes), and children’s camps. A lodging license is required for any person or entity which rents out three or more rooms, units, or cottages.
- The term lodging establishment includes the following:
- 4.18.1** “Bed and breakfast (Tourist home)” means a unique eating and lodging establishment where meals are provided only to lodging patrons, or occasional functions such as weddings, and has a capacity of twenty-five

(25) or fewer. These facilities must comply with Department of Health, regulations for Food Service Establishments;

4.18.2 “Cottage” means a single structure where sleeping accommodations are regularly furnished to the transient, traveling, or vacationing public;

4.18.3 “Hotels,” and “Motels” means any business establishments where multiple sleeping accommodation units or rooms are regularly furnished to the transient, traveling, or vacationing public;

4.18.4 “Vacation camp” means an establishment which is a seasonal operation lasting not more than 90 days per year and offering a camping program which includes providing food and/or lodging to vacationing youth or family groups.

4.18.4 “Children’s camp” means an overnight camp for children providing facilities for sleeping, eating, and recreation.

4.18.5 “Self-catered cottage” means a self-contained, single-unit, property offering accommodations to transient traveling or vacation public, which offers minimal housekeeping and a furnished kitchen for meal preparation by the guest.

4.19 “Motel” see “Lodging establishment.”

4.20 “Person in charge” means the individual or employee who is present in the lodging establishment at the time of the inspection and who is responsible for the operation. If no designated individual or employee is the person in charge, then any employee present is the person in charge.

4.21 “Pest” means any unwanted animal, including insect, that is a potential vector for human disease or presents a risk to public health.

4.22 “Plan review” means the submission of blueprints, drawings, or plans for proposed new construction, renovation, or remodeling of a lodging establishment.

4.23 “Plumbing fixture” means a receptacle or device that (1) is permanently or temporarily connected to the water distribution system of the premises and demands a supply of water from the system; or (2) discharges used water, waste materials, or sewage directly or indirectly to the drainage system of the premises.

4.24 “Plumbing System” means the water supply and distribution pipes; plumbing fixtures and traps; soil, waste, and vent pipes; sanitary and storm sewers and building drains, including their respective connections, devices, and appurtenances within the premises; and water-treating equipment.

4.25 “Potable water” means water free from impurities in amounts sufficient to cause disease or harmful physiological effects with the bacteriological, chemical,

physical, or radiological quality conforming to applicable regulations and standards as defined by:

4.25.1 The Vermont Department of Environmental Conservation - Drinking Water and Groundwater Protection Division for any public drinking water systems, or

4.25.2 The Vermont Department of Health testing guidelines for private water supplies, specifying health-based contaminants found to be above maximum contaminant levels (MCL) or above Vermont Health Advisories where no MCL exists.

4.26 “Proprietor” means any person 18 years or older, corporation, partnership, firm, organization or municipality which operates or is responsible for the operation of a lodging establishment and is the license holder for the establishment.

4.27 “Recreational water facility” and “RWF” mean a water environment with design and operational features that provides guests with recreational activity and that involves immersion of the body partially or totally in the water. This term shall include water slides, watercourse rides, water activity pools, jetted pools, and wave pools. This term shall not include swimming pools and hot tubs.

4.28 “Refuse” means solid waste not carried by water through the sewage system.

4.29 “Sanitization” means the application of cumulative heat or chemicals on cleaned food-contact surfaces that, when evaluated for efficacy, is sufficient to yield a reduction of 5 logs, which is equal to 99.999% reduction, of representative disease microorganisms of public health importance.

4.30 “Service animal” means an animal, such as a guide dog, signal dog, or other animal individually trained to provide assistance to an individual with a disability.

4.31 “Significant renovation” means a physical change to a facility or portion of a facility, including the following:

4.31.1 Replacing or upgrading any major system, such as the electrical, plumbing, heating, ventilation, or air-conditioning systems;

4.31.2 Demolition of the interior or exterior of a building or portion of the building; and

4.31.3 Replacement, demolition, or installation of interior walls and partitions, whether fixed or movable.

Significant renovation shall not include replacement of broken, dated, or worn equipment and other items, including individual air-conditioning units, bathroom tiles, shower stalls, and any other items that do not require additional or new plumbing or electrical repairs.

- 4.32** “Single-service articles” means tableware, carry-out utensils, and other items such as bags, containers, drinking glasses and cups, placemats, stirrers, straws, toothpicks, and wrappers that are designated and constructed for one time, one person use after which they are intended for discard.
- 4.33** “Spa” means any area of a lodging establishment where a hot tub, swimming pool, fitness equipment, tanning bed, or similar guest amenities are located.
- 4.34** “Swimming Pool” means an aquatic venue designed to have standing water for total or partial bather immersion.
- 4.35** “Tableware” means all multi-use eating and drinking utensils, including flatware (knives, forks, spoons, dishware), and ice containers.

5.0 Licensing of Lodging Establishments

- 5.1** A person shall not maintain or operate a lodging establishment with three or more units, or any bed & breakfast regardless of the number of rooms, unless such establishment is licensed pursuant to the provisions of 18 V.S.A. § 4351 and this rule.
- 5.1.1** Each individual lodging establishment shall be required to hold a separate license, regardless of ownership.
- 5.1.2** A lodging license expires annually.
- 5.2** A completed Application for License to Operate a Food and Lodging Establishment, payment for applicable fees determined in 18 V.S.A. § 4353, and copies of all other required documentation and permits must be submitted to the Department for review no less than 30 days before the expected start of operation.
- 5.3** Additional documentation requested by the Department, may also be required. This may include but is not limited to:
- 5.3.1** Wastewater system documentation and permits from the Vermont Agency of Natural Resources;
- 5.3.2** Water system documentation for water systems requiring a permit;
- 5.3.3** Local permit or zoning approval for proposed operation;
- 5.4** Establishments shall submit a plan review prior to any new construction or significant renovation of an existing facility.
- 5.5 Transference of Licenses**
- 5.5.1** A license shall not be transferred from one person or corporation to another.

5.5.2 When a licensed establishment is sold, the corporation changes, or the establishment relocates or enlarges its operation, the license held by the former entity or person shall be returned to the Department.

5.5.3 The new proprietor or owner must apply for and receive a license before operating the business.

5.6 License Variances

5.6.1 A variance may be granted by the Commissioner to modify or waive one or more requirements of this rule if the Commissioner determines that a health hazard, safety hazard, or nuisance will not result from the variance.

5.6.2 Each person requesting a variance shall submit the following to the department:

5.6.2.1 A written statement of the proposed variance of the regulatory requirement;

5.6.2.2 Documentation of how the proposed variance addresses public health hazards at the same level of protection as that of the original requirement; and

5.6.2.3 Any other relevant information if required by the Commissioner.

5.6.3 For each variance granted, the licensee shall meet the following requirements:

5.6.3.1 Follow the plans and procedures approved by the Commissioner;

5.6.3.2 Maintain a permanent record of the variance at the establishment; and

5.6.3.3 Maintain and provide to the Commissioner, upon request, records that demonstrate that the variance is being followed.

6.0 Food Service Licenses at Lodging Establishments:

6.1 Each lodging establishment that prepares, packages, serves, or otherwise provides food to the licensee's overnight guests or the general public, except activities covered in 6.2, shall obtain an appropriate food service license in accordance with 18 V.S.A. ch. 85, and comply with all applicable provisions of the Vermont Department of Health regulations.

6.2 A lodging establishment that provides only commercially prepared, individually portioned prepackaged foods that are non-potentially hazardous or offers whole, uncut fresh fruits or coffee for guests shall not be considered to be operating a food establishment as specified in regulation, but shall comply with all of the following requirements:

6.2.1 All food shall be free from spoilage, filth, or other adulteration and shall be safe for human consumption.

6.2.2 Condiments, if provided, shall be in individual packages.

- 6.2.3 Only single-service articles shall be used for serving food.
- 6.2.4 Single-service articles shall be stored, handled, and dispensed in a manner that prevents contamination of food contact surfaces.
- 6.2.5 All food service areas and all food contact surfaces shall be smooth, free of breaks, open seams, cracks, chips, and similar imperfections and shall be kept clean.
- 6.2.6 All food shall be stored and presented in a way that protects the food from cross contamination.
- 6.2.7 All food service and storage areas shall be free of the evidence of insects, rodents, and other pests.
- 6.2.8 Employees that handle food shall observe hygienic practices during all working periods of food service. Employees shall wash their hands before working with food; after using the toilet, smoking, eating, and drinking; and as often as necessary to keep their hands clean.

7.0 Imminent Health Hazard

- 7.1 Each licensee shall discontinue operations of the affected portions of the lodging establishment immediately upon discovery that an imminent health hazard exists.
- 7.2 Each licensee shall notify the Department within 24 hours of the discovery of an imminent health hazard.

8.0 General Requirements for Licensed Lodging Establishments

- 8.1 Each licensee shall meet all of the following requirements:
 - 8.1.1 Post the license in a location in the lodging establishment that is conspicuous to the public;
 - 8.1.2 Comply with the provisions of these regulations, including the conditions of any granted variance; ~~and~~
 - 8.1.3 Ensure that no room or any portion of the lodging establishment is rented unless the room or portion of the lodging establishment is safe and sanitary.; ~~and~~
 - ~~8.1.4 Replace any existing items, including equipment, furnishings, fixtures, or items of décor, with items that meet the requirements of these regulations, under any of the following conditions:~~
 - ~~8.1.3.1 The items constitute a public health hazard;~~
 - ~~8.1.3.2 The items affect guest safety; or~~

~~8.1.4.3 The items do not conform with any requirements of this rule.~~

8.2 Hot water capacity and handwashing.

8.2.1 Each licensee shall ensure that the hot water capacity is sufficient to meet the hot water demands of the entire lodging establishment.

8.2.2 A handwashing reminder sign shall be posted in each handwashing area, except in guest rooms.

8.2.3 Each licensee shall ensure that all handwashing sinks meet all of the following requirements:

8.2.3.1 Hot and cold potable water shall be supplied under pressure to each sink in enough capacity to meet handwashing needs.

8.2.3.2 The temperature of the hot water shall be at least 100 degrees Fahrenheit. If a mixing valve or combination faucet is not used, the temperature of the hot water shall not exceed 120 degrees Fahrenheit.

8.2.3.3 A supply of hand soap and either towels or an electric drying device shall be available at all times at the handwashing sink.

8.2.3.3.1 In public areas, cloth towels may be provided for one-time use by an individual. A receptacle for the soiled cloth towels shall be provided.

8.2.3.3.2 The use of a common cloth towel shall be prohibited, except in guest rooms.

8.3 Toilets and toilet rooms.

8.3.1 A toilet room that is accessible at all times to employees shall be provided. A public toilet room may be used by employees in lieu of a separate employee toilet room.

8.3.2 A public toilet room or rooms shall be provided and accessible to the public if the lodging establishment provides space for guest or public gatherings or functions, including conferences, meetings, seminars, receptions, teas, dances, recitals, weddings, parties, wakes, and other events.

8.3.3 There shall be at least one handwashing sink in or immediately adjacent to each toilet room. Each sink shall meet the requirements specified in subsection 8.2.

8.3.4 Each toilet and urinal shall be sanitary, maintained in good repair, and operational at all times.

- 8.3.5** Each toilet and urinal shall be cleaned and sanitized daily or more often if visibly soiled.
- 8.3.6** The floor in each toilet room shall be constructed of smooth, nonabsorbent, easily cleanable materials and maintained in good repair. Carpeting shall be prohibited as a floor covering in toilet rooms.
- 8.3.7** Except as specified in this paragraph, the storage of items in any toilet room shall be prohibited. A small amount of commonly used toilet room supplies may be stored, including toilet paper, hand soap, and paper towels.

9.0 Personnel: Employee Health, Cleanliness, and Clothing

9.1 Each licensee shall ensure that all of the following requirements are met:

9.1.1 Health of employees. Each employee with any of the following health condition shall be excluded from areas of the lodging establishment where disease can easily be transmitted to other employees or guests in the normal course of employment:

9.1.1.1 The employee is infected with a communicable disease, or

9.1.1.2 The employee is a carrier of organisms that cause a communicable disease.

9.1.2 Cleanliness of employees.

9.1.2.1 Each employee shall wash ~~that employee's his or her~~ hands in accordance with paragraph 9.1.2.2 before handling clean utensils or dishware, ice, beverages, food, or clean laundry.

9.1.2.2 Each employee shall wash that employee's hands and any exposed portions of that employee's arms with soap and water in a ~~designated~~ sink by vigorously rubbing together the surfaces of the lathered hands and arms for 15 seconds to 20 seconds and thoroughly rinsing with clean water.

9.1.3 Clothing of employees. Each employee providing services directly to guests or performing housekeeping functions shall wear clean outer clothing ~~that is in good repair~~.

10.0 Guest and Public Safety

10.1 All establishments must comply with any relevant state and local fire and life safety laws and regulations.

- 10.2** Each licensee shall ensure that all repairs, construction, renovations, and maintenance are conducted in a manner that provides safe conditions for the guests and the public.
- 10.3** The operation and maintenance requirements for each lodging establishment shall include all of the following:
- 10.3.1** Each lodging establishment shall meet the requirements of all applicable building codes, fire codes, and ordinances.
- 10.3.2** Foam or plastic materials or other highly flammable or toxic material shall not be used as an interior wall, ceiling, or floor finish unless approved by the regulatory authority.
- 10.3.3** The doors in any public areas that lead outside the lodging establishment shall not be locked ~~from the inside~~ or blocked ~~in such a way as to,~~ preventing egress when the building is occupied. No exit doors shall be concealed or obscured by hangings, draperies, or any other objects.
- 10.3.4** Required portable fire extinguishers shall be inspected annually by a qualified company and monthly by the establishment.
- 10.3.5** A photo-electric smoke detector shall be installed in each guest sleeping room and anywhere else required by the Department of Public Safety, Division of Fire Safety.
- 10.3.5.1** All smoke detectors shall be maintained in operating condition.
- 10.3.6** An evacuation route diagram shall be posted in a conspicuous location in each guest room. The diagram shall include the location of the guest room, the layout of the floor, and the location of the nearest available exits. If the door of a guest room opens directly to the outdoors at ground level, the diagram shall not be required to be posted.
- 11.0** **Guest Rooms** – Each licensee shall ensure that each guest room is kept clean, is in good repair, and is maintained with regard to the health and safety of each guest, in accordance with all of the following requirements:
- 11.1** **Good Repair.** The walls, floors, ceilings, doors, and windows shall be constructed of materials intended for that purpose, maintained in good repair, and cleaned, painted, or replaced as necessary.
- 11.1.1** All junctures between floors and walls shall be constructed, covered, or finished with a baseboard and readily cleanable.
- 11.1.2** All floors and floor coverings shall be cleaned as needed. The methods for cleaning shall be suitable to the finish and material.

- 11.1.3** All floor maintenance, repair, or replacement shall be done in a manner that prevents slipping or tripping hazards to any guest.
- 11.1.4** A guest room that has visible mold on the floors, walls, ceiling, or windows shall not be rented until mold cleanup is completed.
- 11.2** **Furnishings.** All furnishings, including draperies, beds, appliances, furniture, lamps, and decorative items, shall be kept clean and in good repair. The methods for cleaning shall be suitable to the material and finish.
- 11.3** **Toilet Rooms.** Each guest room shall have a connecting toilet room and bathing facilities, including a bathtub or shower, except for the following:
- 11.3.1** If the lodging establishment is listed on the state historical register and documentation is provided to the regulatory authority, at least one toilet room with bathing facilities located on the same floor shall be provided for every two guest rooms, unless otherwise specified by the regulatory authority.
- 11.3.2** If the lodging establishment is a bed and breakfast home at least one toilet room with bathing facilities located on the same floor shall be provided for every ~~two~~ four guest rooms.
- 11.3.3** If the lodging establishment is a lodge with dormitory sleeping areas ~~or a children's camp~~, at least one ~~easily accessible~~ toilet and at least one bathtub or one shower shall be provided for every six guests. ~~and shall be located within the same building as the dormitory sleeping area or adjacent to the dormitory sleeping area.~~
- 11.4** **Sinks.** Each handwashing sink shall meet the requirements specified in subsection 8.2.
- 11.5** **Kitchenette.** Each extended-stay room shall include a kitchenette or access to a shared full kitchen space for guests.
- 11.6** **Housekeeping service.** ~~Housekeeping shall be offered daily during the guest's stay if the stay is seven days or fewer. The following shall be provided unless the guest requests that all or part of the room not be serviced: The establishment shall service each rented guest room daily in the following manner except as otherwise specified in this section:~~
- 11.6.1** Clean bathroom linens, including towels and washcloths, shall be provided. If bathmats are provided, the bathmats shall be clean.
- 11.6.2** Clean bed linens shall be provided as needed, and the bed shall be made.
- 11.6.3** All floors shall be swept or vacuumed, if visibly soiled. All hard-surface floors shall be wet-cleaned if visibly soiled.

- 11.6.4** Each toilet, sink, bathtub, and shower area shall be cleaned if visibly soiled.
- 11.6.5** Each trash container shall be emptied and shall be cleaned if visibly soiled. A trash container liner may be reused during the same guest's stay if the liner is not visibly soiled.
- 11.6.6** If provided, Aall soap and prepackaged guest toiletry items shall be replenished, as necessary.
- 11.6.7** All toilet paper shall be replenished, as necessary.
- 11.6.8** Clean ice bucket liners shall be provided and replaced, as necessary and upon request of the guest.
- 11.6.9** All glassware and cups, if provided, shall be replaced with clean and sanitized dishware as needed. Single- service cups, if provided, shall be replenished.
- 11.6.10** If a coffeemaker is present in the guest room, the coffeemaker shall be rinsed. If the coffeepot is visibly soiled or contaminated, it shall be washed, rinsed, and sanitized. A fresh supply of coffee, condiments, and any single-service articles shall be replenished, if provided.

~~**11.7** Each guest room shall be serviced daily during the guest's stay if the stay is fewer than seven days, unless the guest requests that all or part of the room not be serviced.~~

11.7 If the same guest continuously occupies the same room for seven or more days, housekeeping shall be offered the room shall be serviced and cleaned at least once every seven days.

11.8 Each guest room that is available shall be serviced and cleaned before each new guest. In addition to the required service activities in subsection 11.6, each guest room cleaning shall include the following:

11.8.1 All floors shall be swept or vacuumed, and all hard-surface floors shall be wet-cleaned if appropriate to the finish.

~~**11.8.2** All furniture, fixtures, and any items of decoration shall be cleaned in a manner that is appropriate to the finish.~~

~~**11.8.3** The interior of all drawers shall be cleaned.~~

11.8.2 All toilets, sinks, bathtubs, and shower areas shall be cleaned and sanitized in a manner that is appropriate to the finish.

11.8.3 All sinks, bathtubs, and shower areas shall be kept free of hair, mold, and mildew.

11.8.4 Bed linens and bath linens shall not be used for cleaning or dusting.

- 11.8.5** All trash containers shall be emptied and cleaned, and new liners shall be provided.
- 11.8.6** All ice bucket liners shall be replaced with new liners.
- 11.8.7** ~~If provided, A~~all used guest toiletries and soap shall be replenished.
- 11.8.8** The guest room shall be visually inspected for any evidence of insects, rodents, and other pests.
- 11.9** **Linens and Beds.** All bedspreads, top-covering linens, blankets, mattress pads, mattresses, box springs, and beds shall be cleaned and maintained in good repair according to all of the following requirements:
- 11.9.1** All linens with tears or holes shall be repaired or replaced and all soiled and stained linen shall be cleaned.
- 11.9.2** All bedspreads and top-covering linens shall be cleaned at least monthly.
- 11.9.3** All blankets and mattress pads shall be cleaned at least monthly. All blankets and mattress pads that are visibly soiled or stained shall be removed and replaced with clean linen.
- 11.9.4** All mattresses and box springs shall be kept clean. Each damaged or soiled mattress and box spring shall be repaired or cleaned.
- 11.9.5** Each mattress that is not kept in sanitary condition shall be replaced.
- 11.9.6** The interior and surface of each enclosed mattress platform shall be cleaned if visibly soiled and either maintained in good repair or replaced.
- 11.10** **Coffeepots.** No coffeemaker or coffeepot shall be located within a toilet room and each coffeepot shall be cleaned before each new guest.
- 11.11** **Drinkware.** All ~~drinkware provided in guestrooms shall be either glass/ceramic cleanable materials or shall be pre-packaged~~ single-service drinking glasses ~~or protected in a dispenser and utensils shall be prepackaged.~~
- 11.12** **Kitchen and Kitchenette Provisions.** All food and condiments provided in each ~~unit guest room~~ shall be individually prepackaged.
- 11.13** **Refrigerator.** If a refrigerator unit is provided in a guest room, the unit shall be cleaned before each new guest.
- 11.14** **Appliances.** Each appliance provided for guest use, including microwaves, stoves, dishwashing machines, coffeemakers, hair dryers, clothing irons, radios, televisions, remote controls, and video equipment, shall be operational and in good repair. All cooking appliances, including microwaves and stoves, shall be cleaned before each new guest.

11.15 Except as specified in this subsection, the use of portable electrical or open-flame cooking devices shall be prohibited in a guest room. These devices shall include hot plates, electric skillets and grills, propane and charcoal grills, camping stoves, and any similar cooking devices. These devices shall not include slow cookers or microwaves and toasters that are provided in a guest room by the lodging establishment.

11.16 **Pests.** Each guest room shall be free of any evidence of insects, rodents, and other pests.

11.16.1 If a guest room has been vacant for at least 30 days, the licensee shall visually inspect that room for any evidence of insects, rodents, and other pests within 24 hours of occupancy by the next guest.

11.16.2 No guest room that is infested by insects, rodents, or other pests shall be rented until the infestation is eliminated.

11.16.3 The presence of bed bugs, which is indicated by observation of a living or dead bed bug, bed bug carapace, eggs or egg casings, or the typical brownish or blood spotting on linens, mattresses, or furniture, shall be considered an infestation.

11.16.4 All infestations shall be treated by a commercially-certified structural pest control operator (PCO).

11.16.5 All pest control measures, both mechanical and chemical, shall be used in accordance with the manufacturer's recommendations.

11.16.6 ~~A licensee shall not store rodenticides, pesticides, or insecticides. No rodenticides, pesticides, or insecticides shall be stored in a guest room or in any area that could contaminate guest supplies, food, condiments, dishware, or utensils.~~

11.17 **Pets and Service Animals**

11.17.1 The licensee of each lodging establishment that allows pets into any guest room shall advise consumers that the establishment is "pet-friendly" by posting a sign in a conspicuous place at the front desk and notification at the time reservations are made to alert guests that pets are allowed.

11.17.2 The licensee of each lodging establishment where pets or service animals have been in a guest room shall meet one of the following requirements:

11.17.2.1 The guest room is deep cleaned before the next guest. Deep cleaning shall include servicing and cleaning the guest room as specified in subsections (11.6) and (11.9), as well as vacuuming and shampooing the carpet and upholstered

furnishings and vacuuming the mattress. All bed linens, including sheets, mattress pads, blankets, bedspreads or top coverings, and pillow cases, shall be replaced with clean bed linens. (or)

11.17.2.2 If the room is not deep cleaned, the licensee shall not offer that room to any guest without giving notification to that guest that a pet or service animal was in the room previous to the new guest.

11.18 Smoking in Rooms. Smoking in lodging establishment is prohibited pursuant to 18 V.S.A. § 1421. If anyone has smoked in a guest room, the licensee of any lodging establishment shall be deep clean the room as specified in paragraph 11.18.2.1.

11.19 Room Locks. Each guest room shall be provided with a means for locking each entrance both from the inside and from the outside, according to all of the following requirements:

11.19.1 The key furnished to each guest shall not unlock the door to any other guest room.

11.19.2 At least one secondary lock, including a dead bolt lock, thumb bolt, chain lock, or a similar device, shall be provided in addition to the primary key lock and shall be installed in accordance with the manufacturer's specifications.

11.19.3 All locks shall be in good repair and fully operational.

11.20 Each pair of connecting guest rooms shall have two doors in the connecting doorway. Each connecting door shall be equipped with a lock on only the guest room side of that door.

11.21 Cribs. If cribs are provided upon request, the cribs shall be easily cleanable, safe, and in good repair. Each crib rail, pad, and mattress shall be cleaned and sanitized after each guest.

12.0 Dishware and Utensils – Each licensee shall ensure that all of the following requirements are met:

12.1 General:

12.1.1 All dishware and utensils that are designed for repeat use shall be made of safe, durable, and nonabsorbent material and shall be kept in good repair. No cracked or chipped dishware or utensils shall be provided for use by guests or employees.

12.1.2 All single-service articles shall be constructed of safe, durable, and nonabsorbent materials.

12.1.3 All single-service drinking glasses and utensils shall be prepackaged or protected in a dispenser.

12.1.4 No single-service articles may be reused.

12.2 **Storage:**

12.2.1 All clean dishware and utensils and all single-service articles shall be protected from dirt, dust, liquids, insects, vermin, and any other sources of contamination at all times.

12.2.2 Each licensee shall provide storage facilities for dishware and utensils in a clean, dry location at least six inches above the floor.

12.2.3 No dishware and utensils shall be stored under an exposed sewer line or a dripping water line.

12.2.4 No dishware, utensils, single-service articles, ice buckets, and food containers shall be stored within a toilet room.

12.3 **Cleaning and sanitization.** Each licensee shall use either manual cleaning and sanitizing equipment or mechanical cleaning and sanitizing equipment.

12.3.1 All dirty or used glasses, dishware, and utensils that are in areas other than a guest room kitchenette shall be removed from each guest room during the servicing or cleaning of the room and upon vacancy of that room. All items shall be washed, rinsed, and sanitized. ~~using one of the approved methods in this regulation.~~

12.3.2 If the licensee provides repeat service dishware or utensils to the lodging establishment's guests or to the public, the licensee shall install in the lodging establishment, or in a food service area operated in conjunction with the lodging establishment, manual or mechanical cleaning equipment for dishware and utensils. ~~that meets the requirement of this regulation.~~

12.3.3 The manual cleaning and sanitizing of dishware, utensils, and food equipment shall meet all of the following requirements:

12.3.3.1 A sink with at least three compartments or three adjacent sinks shall be used and shall be large enough to permit the immersion of the largest item of dishware, utensil, or food equipment articles to be cleaned.

~~**12.3.3.2** All sinks and dishware drying surfaces shall be cleaned before use.~~

12.3.3.2 Each compartment of the sink shall be supplied with hot and cold potable running water.

- 12.3.3.3 The wash, rinse, and sanitizing water shall be kept clean.
- 12.3.3.4 The steps for manual cleaning and sanitizing shall consist of all of the following:
- 12.3.3.4.1 All dishware, utensils, and food equipment shall be thoroughly washed in the first compartment with a hot detergent solution.
 - 12.3.3.4.2 All dishware, utensils, and food equipment shall be rinsed free of detergent and abrasives with clean water in the second compartment.
 - 12.3.3.4.3 All dishware, utensils, and food equipment shall be sanitized in the third compartment according to one of the methods in paragraph 12.3.3.6.
- 12.3.3.5 The food contact surfaces of all dishware, utensils, and food equipment shall be sanitized during manual ware washing by one of the following methods:
- 12.3.3.5.1 Immersion for at least 10 seconds in a clean solution containing 50 to 200 parts per million of available chlorine, with a water temperature of at least 75 degrees Fahrenheit;
 - 12.3.3.5.2 Immersion for at least 30 seconds in clean hot water with a temperature of at least 171 degrees Fahrenheit;
 - 12.3.3.5.3 Immersion in a clean solution containing a quaternary ammonium compound with a minimum water temperature of 75 degrees Fahrenheit and with the concentration indicated by the manufacturer's directions on the label; or
 - 12.3.3.5.4 Immersion in a clean solution containing a sanitization chemical other than those specified in this subsection that is approved by the Vermont Department of Health.
- 12.3.3.6 A chemical test kit, thermometer, or other device that accurately measures the concentration of sanitizing chemicals, in parts per million, and the temperature of the water shall be available and used daily.
- 12.3.4** The mechanical cleaning and sanitizing of dishware, utensils, and food equipment may be done by spray-type or immersion ~~commercial~~ dishwashing machines. Another type of dishwashing machine or device

may be used if the machine or device meets the requirements of this regulation.

12.3.4.1 Each dishwashing machine and device shall be properly installed and maintained in good repair and shall be operated in accordance with the manufacturer's instructions.

~~12.3.4.2 If an automatic detergent dispenser, rinsing agents dispenser, or liquid sanitizer dispenser is used, the dispenser shall be properly installed and maintained.~~

12.3.4.2 Each dishwashing machine using hot water to sanitize shall be installed and operated according to the manufacturer's specifications.~~and shall achieve a minimum dishware and utensil surface temperature of 155 degrees Fahrenheit as measured by a dishwasher safe thermometer. For each dishwashing machine using hot water to sanitize that does not cause the surface temperature of the dishware and utensils to reach a temperature of 155 degrees Fahrenheit, one of the following requirements shall be met:~~

~~12.3.4.2.1 The licensee shall install a heat booster.~~

~~12.3.4.2.2 The licensee shall provide the regulatory authority with documentation of a time and temperature relationship that results in the sanitization of the dishware and utensils.~~

12.3.4.3 The final rinse temperature of each dishwashing machine using hot water to sanitize shall be monitored by a dishwasher-safe thermometer.

12.3.4.4 All dishware, utensils, and food equipment shall be exposed to all dishwashing and drying cycles.

~~12.3.4.6 Each dishwashing machine using chemicals for sanitization shall be used as follows:~~

~~12.3.4.6.1 The temperature of the wash water shall be at least 120 degrees Fahrenheit, and the chemical sanitizing rinse water shall be at least 75 degrees Fahrenheit unless specified differently by the machine's manufacturer.~~

~~12.3.4.6.2 The wash water shall be kept clean.~~

~~12.3.4.6.3 The chemicals added for sanitization purposes shall be automatically dispensed.~~

~~12.3.4.6.4 All dishware, utensils, and food equipment shall be exposed to the final chemical sanitizing rinse in accordance with the manufacturer's specifications for time and concentration.~~

~~12.3.4.6.5 All chemical sanitizers shall meet the applicable requirements of Vermont Department of Health regulations.~~

12.3.4.5 A chemical test kit, thermometer, or other device that accurately measures the concentration of sanitizing chemicals, in parts per million, and the temperature of the water shall be available and used daily.

12.3.4.6 Each dishwashing machine or device shall be cleaned as often as necessary to be maintained in operating condition according to the manufacturer's specifications.

12.4 All dishware, utensils, and food equipment shall be air-dried.

12.5 Each licensee that provides dishware, utensils, and food equipment in the guest room shall clean and sanitize the dishware, utensils, and food equipment provided by one of the following methods:

12.5.1 Provide manual dishwashing and sanitizing; ~~as specified in paragraph 12.3.3;~~

12.5.2 Provide a mechanical dishwashing machine ~~as specified in paragraph 12.3.4;~~ or

12.5.3 Provide a complete set of clean and sanitized dishware, utensils, and food equipment before each new guest.

13.0 **Housekeeping and Laundry Facilities** – ~~Where applicable,~~ Each licensee shall ensure that all housekeeping and laundry facilities and equipment are clean and maintained in good repair. Each licensee shall ensure that all of the following requirements are met:

13.1 Housekeeping

~~13.1.1 Each housekeeping cart shall be maintained and operated to prevent the contamination of clean linens by dirty linens.~~

13.1.1 Each housekeeping cart shall be designed, maintained, and operated to protect clean glasses, utensils, dishware, single-service articles, food, coffee, and condiments from dirty linens and other sources of contamination, including dirty glasses and dishware, cleaning and sanitizing agents, and poisonous or toxic materials.

13.1.2 ~~Clean linens shall not be contaminated by dirty linens or other contaminants. Each service or utility cart shall be maintained and operated to prevent the contamination of clean linens by dirty linens or other sources of contamination, according to one of the following methods:~~

~~13.1.2.1—Cleaning and sanitizing the service cart before transporting clean linens;~~

~~13.1.2.2—lining the service cart with a clean liner before transporting clean linens;~~

~~13.1.2.3—placing the clean linens in a clean container before transporting the linens in the service cart; or~~

~~13.1.2.4—using another method as approved by the regulatory authority.~~

13.2 Laundry Facilities

13.2.1 Each licensee shall provide laundry facilities, unless a commercial laundry service is used.

~~**13.2.2** All clean laundry shall be handled in a manner that prevents contact with dirty linen.~~

~~**13.2.3** Each laundry area shall be designed and arranged in a manner that provides for the functional separation of clean and dirty laundry. A space large enough for sorting and storing soiled linens and for sorting and storing clean linens shall be provided.~~

~~**13.2.4** The laundry facilities shall be located in areas that are not used by guests or the public and are not used as corridors or passageways.~~

13.2.2 The laundry area shall be kept clean and free from accumulated lint and dust.

~~**13.2.6** The laundry facilities and areas shall be used for their intended purpose and shall not be used for storage of equipment or supplies not related to the laundering process.~~

13.2.3 All laundry equipment shall be functional and in good repair. Any laundry equipment that is no longer in use shall be removed from the laundry area.

~~**13.2.8** Each lodging establishment that is newly constructed, undergoes a major renovation, or is licensed under a new ownership shall be required to have a hand sink in the laundry area. Each hand sink shall meet the requirements specified in paragraph 8.2.~~

13.2.4 All housekeeping and cleaning supplies and equipment shall be stored in a designated area. The storage area may be in the laundry area if the

supplies and equipment are physically separated from the laundry, laundry equipment, and laundry supplies.

13.3 All laundry that is cleaned commercially off the premises shall have a segregated storage space for clean and dirty laundry and shall be located and equipped for convenient pick-up and delivery.

~~**13.4** Separate laundry facilities may be provided for use by guests if these facilities are located in a room or area of the lodging establishment designated only for guest laundry. The area and equipment shall be kept clean and in good repair.~~

13.4 Single-use gloves shall be available for housekeeping and laundry staff and made available in the laundry and housekeeping areas.

~~**13.6** A specific location or area shall be provided for the storage of maintenance supplies and equipment. No other items shall be stored in this location or area.~~

14.0 **Poisonous and Toxic Materials** – Each licensee shall ensure that all of the following requirements are met:

14.1 Only those poisonous or toxic materials ~~used in that are required for~~ the operation and maintenance of the lodging establishment shall be allowed on the premises, including the following:

14.1.1 Detergents, sanitizers, cleaning or drying agents, caustics, acids, polishes, and similar chemicals;

14.1.2 Insecticides and rodenticides;

14.1.3 Building maintenance materials, including paint, varnish, stain, glue, and caulking; and

14.1.4 Landscaping materials, including herbicides, lubricants, and fuel for equipment.

14.2 The storage of poisonous or toxic materials shall meet all of the following requirements:

14.2.1 The substances listed in each of the four categories specified in subsection (14.1) shall be stored on separate shelves or in separate cabinets ~~secured from guests except for provided detergents and sanitizers for guest use.~~ These shelves and cabinets shall be used for no other purpose.

14.2.2 To prevent the possibility of contamination, poisonous or toxic materials shall not be stored above food, ice or ice-making equipment, linens, towels, utensils, single-service articles, or guest toiletry items. This requirement shall not prohibit the availability of cleaning or sanitizing agents in dishwashing or laundry work areas.

- 14.3** Each bulk or original container of a poisonous or toxic material shall bear a legible manufacturer's label.
- 14.4** All poisonous or toxic materials taken from a bulk container or an original container and put into another container shall be clearly identified with the common name of the material.
- 14.5** Each poisonous or toxic material shall be used according to the manufacturer's directions. Additional safety requirements regarding the safe use of poisonous or toxic materials may be established by the regulatory authority upon discovery of the unsafe use of these materials.
- 14.6** Each restricted-use pesticide shall be applied only by a certified applicator or a person under the direct supervision of a certified applicator and in accordance with all applicable statutes and regulations.
- 15.0** **Public Indoor Areas** – Each licensee shall ensure that all of the following requirements are met:
- 15.1** All indoor public areas shall be kept clean and free of debris.
- 15.2** All equipment, appliances, and fixtures shall be maintained in good repair. All equipment, appliances, and fixtures that require repair or maintenance either shall be removed for repair or maintenance or shall be designated as damaged or under repair by using signs, placards, cones, hazard tape, or other visual means to alert guests of any possible hazard.
- 15.3** All unused or damaged equipment, appliances, and fixtures shall be removed.
- 15.4** All floors and floor coverings in public areas, service areas, hallways, walkways, and stairs shall be kept clean by effective means suitable to the finish.
- 15.5** All floor coverings shall be maintained in good repair. All floor maintenance, repair, and replacement shall be done in a manner that prevents slipping or tripping hazards to guests.
- 15.6** All furniture and items of décor shall be in good repair and kept clean by effective means suitable to the material and finish.
- 15.7** All stairs, landings, hallways, and other walkways shall be kept free of debris and in good repair and shall meet the following requirements:
- 15.7.1** The storage of items shall be prohibited.
- 15.7.2** A minimum illumination of 10 foot-candles shall be required.
- 15.8** Each fitness room, bathhouse, and spa shall meet the following requirements:
- 15.8.1** Each area shall be cleaned and sanitized daily or more frequently, if necessary to maintain cleanliness.

15.8.2 All floors shall be maintained in good repair and have a slip-resistant finish or covering that prevents slipping when wet.

15.8.3 All equipment and fixtures that come into contact with guests, including benches, tables, stools, chairs, and fitness equipment, shall be constructed with a covering of a nonabsorbent material suitable for the use of the equipment or fixture. The following requirements shall be met:

15.8.3.1 All surfaces that come into contact with guests shall be cleaned and sanitized daily or more frequently, if necessary to maintain cleanliness.

15.8.3.2 Cleaning or sanitizing solutions shall be made available for guest use and shall be kept in clearly labeled bottles.

15.8.3.3 All showers shall be cleaned and sanitized daily or more frequently, if necessary to maintain cleanliness.

~~**15.8.4** Towels, including bath towels, hand towels, and paper towels, shall be provided in the area and made available upon guest request.~~

~~**15.8.4.1** Each cloth towel shall be laundered before being provided to a guest.~~

~~**15.8.4.2** A receptacle for wet or soiled towels shall be provided for guest use in the area. The receptacle shall be emptied at least once daily.~~

15.8.4 All equipment, fixtures, and recreational items provided for guest use shall be maintained in good repair.

16.0 **Ice and Ice Dispensing** – Each licensee shall ensure that all of the following requirements are met:

16.1 If ice is provided in a public area to guests or the general public, the ice shall be provided only through automatic, self-service dispensing machines that are constructed to prevent the direct access to bulk ice storage compartments by guests or the general public.

16.2 Ice machines other than the type specified in paragraph 16.1, including bin-type ice machines that allow direct access to the bulk ice storage compartments, shall not be accessible to guests or the general public.

16.3 Only ice that has been made from potable water and handled in a sanitary manner shall be provided by a lodging establishment. All ice shall be free of visible contaminants.

16.4 All ice that is not made on the premises of the lodging establishment shall be obtained from a commercial source and shall be protected from contamination during transportation and storage.

16.5 Each ice machine shall meet the following requirements:

16.5.1 Be constructed of sanitary, durable, corrosion-resistant material and be easily cleanable;

16.5.2 Be constructed, located, installed, and operated to prevent contamination of the ice;

16.5.3 Be kept clean, free of any mold, rust, debris, or other contaminants, and maintained in good repair; and

16.5.4 Be drained through an air gap.

16.6 Each ice container or ice bucket shall meet the following requirements:

16.6.1 Be made of smooth, nonabsorbent, impervious, food-grade materials and be easily cleaned;

16.6.2 Be kept clean and stored in a sanitary manner;

16.6.3 Be cleaned and sanitized before each new guest; and

16.6.4 Be provided with a sanitary, single-service use, food-grade liner that is changed daily.

~~**16.7** All canvas or wax-coated buckets or containers shall be prohibited.~~

16.7 No ice container or ice bucket shall be located within the room housing the toilet.

16.8 Each icemaker located in a guest room shall be kept clean and sanitary and all ice shall be removed from the icemaker's storage bin before each new guest.

~~**16.8.1** No individual ice cube trays shall be used.~~

~~**16.8.2** All ice shall be removed from the icemaker's storage bin before each new guest.~~

17.0 Exterior Premises and Grounds

17.1 Exterior areas and surface

17.1.1 All exterior areas and surfaces, including alleys and driveways, shall be kept clean, free of debris, and in good repair.

~~**17.1.2** Each walking, driving, and parking surface shall be graded to prevent the pooling of water.~~

~~**17.1.3** All lawns and landscaping shall be mowed or pruned as needed to promote guest safety.~~

17.1.2 All parking areas and walkways shall be illuminated for guest safety and shall be kept free of debris.

~~**17.1.5** All unused or discarded equipment and materials shall be removed from the premises, except when placed in a designated storage area.~~

17.1.3 All exterior balconies, landings, porches, decks, stairways, and ramps shall be kept in good repair and free of debris and safety hazards and shall be illuminated for guest safety.

17.1.3.1 Storage on stairs, landings, and ramps shall be prohibited.

17.1.3.2 All guards and railings shall be attached securely and shall be kept in good repair.

17.1.3.3 All ramps shall have a slip-resistant surface.

~~**17.1.3.4** All exterior stairways, ramps, landings, and walkways shall be kept free of ice and snow.~~

17.2 Refuse containers.

17.2.1 The area where refuse containers are located shall be kept free of debris and cleaned as necessary to prevent the attraction and harborage of insects, rodents, and other pests and to minimize odors.

17.2.2 Containers of adequate capacity or number shall be available to store all refuse that accumulates between refuse pickups. All refuse containers shall be emptied at least once each week or more frequently, if necessary to meet the requirements of these regulations.

17.2.3 All refuse container lids shall be closed. ~~All refuse containers shall be kept on a solid surface. Solid surfaces shall include concrete, asphalt, and any other hard surface approved by the regulatory authority.~~

17.3 Outdoor vector control

17.3.1 The premises shall be free of any harborage conditions that can lead to or encourage infestations of rodents, insects, and any other pests.

17.3.2 Control measures shall be taken to protect against the entrance of rodents, insects, and any other pests into the lodging establishment. All buildings shall be vermin-proofed and kept in a vermin-proof condition.

17.3.3 All doors leading outside shall be tight-fitting to eliminate entrance points for rodents, insects, and any other pests. All windows and doors that can be opened for ventilation shall have screening material that is at least 16 mesh to the inch and shall be tight-fitting and kept in good repair.

17.3.4 Identified infestation problems shall be treated by a commercially-certified structural pest control operator (PCO).

17.3.5 All control measures, both mechanical and chemical, shall be used in accordance with each manufacturer's recommendations.

~~17.4 Exterior storage.~~

~~17.4.1 A storage area shall be provided for maintenance and recreational equipment, machinery, and any other maintenance items.~~

~~17.4.2 Only those items necessary for the operation and maintenance of the lodging establishment shall be kept in a storage area.~~

~~17.4.3 All poisonous and toxic materials shall be stored as specified in section 14.0.~~

~~17.4.4 Each storage area shall be kept free of debris, filth, and any harborage conditions.~~

~~17.3.6 All articles in need of repair may be stored on a short term basis, which shall not exceed six months. All articles that are not repaired within six months shall be discarded or moved to an off-site storage facility.~~

~~17.5 Pet Control~~

~~17.5.1 All pets shall be kept on a leash or controlled in a manner that prevents the pets from running freely about the premises.~~

18.0 Swimming Pools, Recreational Water Facilities (RWFs), and Hot Tubs

18.1 Each licensee shall ensure that all swimming pools, RWFs, and hot tubs are kept sanitary and in good repair.

18.2 Each swimming pool, RWF, and hot tub shall meet the requirements in these regulations, unless local ordinances pertaining to planning and design, lifesaving and safety equipment, water quality, and sanitation exist and these ordinances are as restrictive or more restrictive than these regulations.

18.3 Design and safeguards.

18.3.1 Each plan for a new swimming pool or RWF and for a swimming pool or RWF undergoing major renovation, including installation of a diving board, slide, or other similar recreational devices, shall be designed by a licensed engineer, architect, or other qualified professional.

18.3.2 Each grate over a main drain in each swimming pool or RWF shall be intact, firmly affixed at all times, and designed to prevent swimmer entanglement, entrapment, or injury. Other methods to prevent swimmer entanglement, entrapment, or injury may include multiple main drains, anti-vortex drain covers, or any similar device approved by the regulatory authority.

18.3.3 The depth of water in each swimming pool or RWF shall be plainly marked with at least four-inch high numbers of a color that contrasts with the color of the pool decking or vertical pool wall.

18.3.3.1 Water depth markings for an in-ground swimming pool shall be clearly marked on the edge of the deck and visible at all times. In addition, water depth markings may be placed above the water surface on the vertical pool walls and shall be visible at all times.

18.3.3.2 Water depth markings for each aboveground swimming pool or RWF shall be on the edge of the deck and shall be visible to persons entering the swimming pool. If water depth markings cannot be placed on the edge of the deck, another means shall be used so that the water depth is visible to persons entering the swimming pool.

18.3.3.3 The water depth markings in each swimming pool or RWF shall be located in the following areas:

18.3.3.3.1 At the maximum and minimum depths. Intermediate increments of depth may be used in addition to the required maximum and minimum depths; and

18.3.3.3.2 The transition point between the shallow end, which shall be five feet or less, and the deep end, which shall be more than five feet. This transition point shall be marked by a line on the floor and the walls of the swimming pool or RWF or by a safety rope equipped with buoys.

18.3.4 Each lighting and electrical system for a swimming pool, RWF, or hot tub shall be kept in good repair at all times. The following requirements shall be met:

18.3.4.1 Artificial lighting shall be provided at each swimming pool, RWF, or hot tub if used at night and for each indoor swimming pool, RWF, or hot tub. The lighting shall illuminate all portions of each swimming pool, RWF, or hot tub.

18.3.4.2 All artificial lighting located in the water shall be designed and maintained to prevent electrical shock hazards to guests.

18.3.5 Each outdoor swimming pool and RWF shall be protected by a fence, wall, building, or other enclosure that is at least four feet in height.

18.3.5.1 Each enclosure shall be made of durable material and kept in good repair.

18.3.5.2 Openings in the barrier shall not allow passage of a 4-inch-diameter sphere.

18.3.5.3 Each gate shall have self-closing and self-latching mechanisms. The self-latching mechanism shall be installed at least four feet from the bottom of the gate.

18.3.5.4 A hedge shall not be an acceptable protective enclosure.

18.3.6 Each door leading into an indoor or enclosed swimming pool or RWF area shall have self-closing and self-latching mechanisms. The self-closing mechanism shall be at least four feet from the bottom of the door.

18.4 Lifesaving and safety equipment.

18.4.1 Each swimming pool or RWF shall have lifesaving equipment, consisting of at least one U.S. Coast Guard-approved **Type IV** flotation device that can be thrown into the water and at least one reaching device.

18.4.1.1 The flotation device shall be attached to a rope that is at least as long as one and one-half times the maximum width of the swimming pool or RWF. If a lifeguard is on duty, lifesaving rescue equipment, including rescue tubes, may also be used.

18.4.1.2 The reaching device shall be a life pole or a shepherd's crook-type of pole, with a minimum length of 12 feet.

18.4.1.3 Each lifesaving device shall be located in a conspicuous place and shall be accessible. The lifeguard personnel shall keep their rescue equipment close for immediate use.

18.4.1.4 Each lifesaving device shall be kept in good repair.

18.4.2 A first-aid kit shall be accessible to the lodging employees.

18.4.3 The establishment shall not permit glass containers in the swimming pool, RWF, or hot tub area.

18.4.4 Each swimming pool, RWF, and hot tub and each deck shall be kept clean of sediment, floating debris, visible dirt, mold and algae and shall be maintained free of cracks, peeling paint, and tripping hazards.

18.4.5 Each swimming pool, RWF, and hot tub shall be refinished or relined if the bottom or wall surfaces cannot be maintained in a safe and sanitary condition.

18.4.6 If handrails are not present, all steps leading into the swimming pool or RWF shall be marked in a color contrasting with the color of the interior of the swimming pool and RWF so that the steps are visible from the swimming pool or RWF deck.

18.4.7 All steps, ladders, and stairs shall be easily cleanable, in good repair, and equipped with nonslip treads. Handrails and ladders, if present, shall be provided with a handhold and securely attached.

18.4.8 The rules of operation and safety signs for each swimming pool, RWF, and hot tub shall be posted in a conspicuous place at the swimming pool, RWF, or hot tub. Each swimming pool and RWF without a lifeguard shall have posted the following sign: “Warning – No Lifeguard On Duty.” The sign shall be legible, with letters at least four inches in height.

18.4.9 If chlorinating equipment is located indoors, the chlorinating equipment shall be housed in a separate room, which shall be vented to the outside or to another room that is vented to the outside. If chlorinating equipment is located outdoors and within an enclosed structure, the structure shall be vented to the outside.

18.5 Water quality and sanitation. Each licensee shall ensure that all of the following requirements are met:

18.5.1 Each swimming pool, RWF, and hot tub shall be maintained to provide for continuous disinfection of the water with a chemical process. This process shall use a disinfectant that leaves a measurable residual in the water.

18.5.1.1 If chlorine ~~or bromine~~ is used to disinfect the water of any swimming pool or RWF, the water shall have a ~~disinfectant free~~ available chlorine residual level of at least 1.0 part per million (ppm) and not more than 5.0 ppm. If chlorine is used to disinfect the water of any hot tub, the water shall have a free available chlorine residual level of at least 2.9 ppm and not more than 5.0 ppm.

18.5.1.2 If bromine is used to disinfect the water of any swimming pool or RWF, the water shall have a disinfectant residual level of at least 1.0 ppm and not more than 5.0 ppm. If ~~chlorine or~~ bromine is used to disinfect the water of any hot tub, the water shall have a disinfectant residual level of at least 2.0 ppm and not more than 5.0 ppm.

18.5.1.3 Each means of disinfection other than those specified in paragraphs (18.5.1.1) and (18.5.1.2) shall be used only if the licensee has demonstrated that the alternate means provides a level of disinfection equivalent to that resulting from the residual level specified in paragraph (18.5.1.1) or (18.5.1.2).

18.5.2 The pH of the water in each swimming pool, RWF, and hot tub shall be maintained at not less than 7.0 and not more than 8.0.

18.5.3 Each licensee shall use a chemical test kit or a testing device that is appropriate for the disinfecting chemical used and capable of accurately measuring disinfectant residual levels of 0.5 ppm to 20.0 ppm. In addition, a chemical test kit or testing device for measuring the pH of the water shall be used and capable of accurately measuring the pH of water in 0.2 increments.

18.5.4 The water in each swimming pool, RWF, and hot tub shall have sufficient clarity at all times so that one of the following conditions is met:

18.5.4.1 A black disc with a diameter of six inches is clearly visible in the deepest portion of the swimming pool or RWF.

18.5.4.2 The bottom drain at the deepest point of the swimming pool or RWF is clearly visible, and the bottom of the hot tub is clearly visible.

18.5.5 The water in each swimming pool, RWF, and hot tub shall be free of scum and floating debris. The bottom and walls shall be free of dirt, algae, and any other foreign material.

18.5.6 No chemical shall be added manually and directly to the water of any swimming pool, RWF, or hot tub while any individual is present in the water.

18.5.7 The temperature of the water in each hot tub shall not exceed 104 degrees Fahrenheit.

18.5.7.1 Each hot tub shall be operated in accordance with the manufacturer's specifications.

18.5.7.2 Each hot tub shall have a thermometer or other device to accurately record the water temperature within plus or minus two degrees.

18.6 Fecal accident in a swimming pool and RWF. If a fecal accident occurs in a swimming pool or RWF, the following requirements shall be met:

18.6.1 In response to any accident involving formed feces, the following requirements shall be met:

18.6.1.1 Direct the guests to leave the swimming pool or the RWF, and do not allow any individuals to reenter until the decontamination process has been completed. The closure times can vary since the decontamination process takes from 30 to 60 minutes;

18.6.1.2 Remove as much fecal material as possible using a net or scoop, and dispose of the material in a sanitary manner. Sanitize the net or scoop;

18.6.1.3 Raise the disinfectant level to 2.0 ppm and ensure that the water pH is between 7.2 and 7.8; and

18.6.1.4 Return the disinfectant level to the operating range specified in paragraph 18.4.1 before the swimming pool or RWF is reopened to guests.

18.6.2 In response to any accident involving diarrhea, the following requirements shall be met:

18.6.2.1 Direct guests to leave the swimming pool or the RWF, and do not allow any individuals to reenter until the decontamination process has been completed;

18.6.2.2 Remove as much fecal material as possible using a scoop, and dispose of the material in a sanitary manner. Sanitize the scoop. Vacuuming the fecal material shall be prohibited;

18.6.2.3 Raise the disinfectant level to 20.0 ppm and maintain a water pH of at least 7.2 but not more than 7.8. This level of concentration shall be maintained at least eight hours to ensure inactivation of *Cryptosporidium*. A lower disinfectant level and a longer inactivation time may be used according to the following table:

***Cryptosporidium* inactivation for diarrheal accident**

<u>Disinfectant levels (ppm)</u>	<u>Disinfection time</u>
<u>1.0</u>	<u>6.5 days</u>
<u>10.0</u>	<u>16 hours</u>
<u>20.0</u>	<u>8 hours</u>

18.6.2.4 Ensure that the filtration system is operating and maintaining the required disinfectant levels during the disinfection process. Backwash the filter. Do not return the backwashed water through the filter. Replace the filter medium, if necessary; and

18.6.2.5 Return the disinfectant level to the operating range specified in subsection 18.4.1.

18.7 Vomiting accident in a swimming pool or RWF. If a vomiting accident occurs in a swimming pool or RWF, the procedures in paragraph 18.6.2 shall be followed.

18.8 Body fluid spills at a swimming pool or RWF. All body fluid spills that occur on swimming pool or RWF equipment or hard surfaces, including decking, shall be cleaned and chemically sanitized. Disposable gloves shall be available for employees' use during cleanup. The following cleanup method shall be used:

- 18.8.1** Wipe up the spill using absorbent, disposable material. Paper towels may be used;
- 18.8.2** Use a bleach solution by combining one part bleach and 10 parts water. Pour the bleach solution onto the contaminated surface, leave the solution on the surface for at least 10 minutes, and rinse the surface with clean water;
- 18.8.3** Disinfect all nondisposable cleaning materials, including mops and scrub brushes, and allow to air-dry; and
- 18.8.4** Require each employee assisting with the cleanup to wash that employee's hands with warm water and soap after the cleanup is completed.
- 18.9** Fecal or vomiting accident in a hot tub. If a fecal accident or vomiting occurs in a hot tub, all of the following requirements shall be met:
- 18.9.1** All guests shall be required to leave the hot tub, and the water shall be completely drained.
- 18.9.2** The hot tub shall be disinfected according to the manufacturer's specifications.
- 18.9.3** The filtering system shall be disinfected or the filter medium shall be replaced with a clean filter medium before refilling the hot tub with clean water.
- 18.10** Operation and maintenance of a swimming pool, RWF, or hot tub. Each licensee shall ensure that all of the following requirements for each swimming pool, RWF, and hot tub are met:
- 18.10.1** Daily operational logs shall be maintained for at least one year at the lodging establishment and made available to the regulatory authority, upon request. These logs shall include the date and time the information was collected and the name or initials of the person who collected the information. These logs shall also record the following information:
- 18.10.1.1** The disinfectant residuals shall be recorded at least once daily when the swimming pool, RWF, or hot tub is available for guest use or more often, if necessary to maintain the water quality as specified in subsection 18.5.
- 18.10.1.2** The pH test shall be recorded at least once daily when the swimming pool, RWF, or hot tub is available for guest use or more often, if necessary to maintain the water quality as specified in subsection 18.5.
- 18.10.1.3** The temperature reading of each hot tub shall be recorded at least once daily when the hot tub is available for guest use.

- 18.10.2** Each fecal and vomiting accident log shall include the time and date of the accident and the disinfection measures taken.
- 18.10.3** Each indoor swimming pool area and chemical storage room shall be either vented directly to the exterior or vented to a room that is vented directly to the exterior.
- 18.10.4** All chemicals applied to a swimming pool, RWF, or hot tub shall be used, handled, stored, and labeled in accordance with the manufacturer's specifications.
- 18.10.5** All recreational equipment shall be kept sanitary. Recreational equipment shall include slides, diving boards, play equipment, water sports equipment, and accessory items available to guests, including floats, tubes, air mattresses, and pads for water slides.
- 18.10.6** A cleaning system shall be used to remove dirt, algae, and any other foreign material from the bottom of the swimming pool or RWF.
- 18.10.7** All surface skimmers, strainer baskets, and perimeter overflow systems shall be kept clean and in good repair.
- 18.10.8** The water in each swimming pool and each RWF shall be maintained at the manufacturer's recommended level so that the water will flow into each skimmer and strainer.
- 18.10.9** The recirculation system serving each swimming pool, RWF, and hot tub shall operate continuously or in accordance with the manufacturer's specifications. The filtration and recirculation systems shall be maintained in accordance with the manufacturer's specifications.

19.0 **Water Supply Systems** – Each licensee shall ensure that all of the following requirements are met:

- 19.1** Sufficient potable water to meet the needs of the lodging establishment shall be provided from a source constructed and operated pursuant to Vermont Department of Environmental Conservation requirements.
- 19.2** No water supply system deemed unsafe by the ~~Department or Vermont Department of Environmental Conservation~~ the regulatory authority shall be used as a potable water supply.
- 19.3** Each nonpublic water supply system shall be constructed, maintained, and operated as specified in Vermont Department of Environmental Conservation requirements.
- 19.4** All water from a nonpublic water supply system shall meet state drinking water quality standards.

- 19.5** The most recent sample report for the nonpublic water supply system used by the lodging establishment shall be retained for at least 12 months at the lodging establishment and shall be made available to the regulatory authority upon request.
- 19.6** During any period when a boil water order is in effect, including a precautionary boil water notice or advisory issued by the ~~Department or Vermont Department of Environmental Conservation regulatory authority~~ on a public or nonpublic water supply, the licensee shall meet the following requirements until the problem has been corrected:
- 19.6.1** Notify each guest, verbally upon check-in and by written notice placed in each rented guest room, that the plumbed water is not potable and only potable water should be used for drinking and for brushing teeth;
- 19.6.2** discard any ice that could have been made from or exposed to contaminated water; and
- 19.6.3** Obtain a temporary, alternate supply of potable water by using one of the following:
- 19.6.3.1** A supply of commercially bottled drinking water;
- 19.6.3.2** One or more closed, portable, bulk water containers;
- 19.6.3.3** An enclosed vehicular water tank;
- 19.6.3.4** An on-premises water storage tank; or
- 19.6.3.5** Any other alternative water source if approved by the ~~Department or Vermont Department of Environmental Conservation regulatory authority~~.
- 20.0** **Sewage Systems** – Each licensee shall ensure that all of the following requirements are met:
- 20.1** All sewage shall be disposed of through an approved facility, including one of the following:
- 20.1.1** A public sewage treatment plant; or
- 20.1.2** An individual sewage disposal system that is constructed, maintained, and operated according to Vermont Department of Environmental Conservation requirements, and meets all applicable sanitation requirements.
- 20.2** A temporary sewage disposal facility shall be allowed only as approved by the ~~Department or Vermont Department of Environmental Conservation regulatory authority in response to a disaster~~.

20.3 All condensate drainage, rainwater, and other non-sewage liquids shall be drained from the point of discharge to disposal pursuant to Vermont Department of Environmental Conservation requirements.

21.0 Electrical Systems

21.1 Each licensee shall ensure that the electrical wiring is installed and maintained in accordance with all applicable state and local electrical codes. In the absence of local electrical codes, the electrical wiring shall be installed and maintained by a licensed electrician.

21.2 All emergency lighting shall be kept in working condition.

21.3 The permanent use of extension cords in guest rooms shall be prohibited. Individual branch circuits, including multiple-plug outlet strips that contain fuse breakers and multiple-plug outlet adapters that do not to exceed the amperage for which the outlets are rated, shall be permitted.

21.4 The temporary use of extension cords shall be allowed for housekeeping and maintenance purposes if the extension cords are rated for industrial use.

21.5 The wattage of light bulbs shall not exceed the wattage rating of the corresponding light fixtures. Empty light sockets shall be prohibited.

22.0 Plumbing Systems

22.1 Each licensee shall ensure that all plumbing is installed and maintained in accordance with all applicable state and local plumbing codes. In the absence of local plumbing codes, all plumbing shall be installed and maintained by a licensed plumber.

22.2 Each licensee shall ensure that all of the following requirements are met:

22.2.1 Potable water under pressure shall be available at all times at each fixture designed to provide water. Hot water shall be provided to each fixture designed to use hot water.

22.2.2 Each toilet room, bathing facility, and laundry area shall be provided with ventilation to minimize condensation and to prevent mold, algae, and odors. Each newly constructed lodging establishment and each lodging establishment undergoing major renovation shall be required to have mechanical ventilation in each toilet room, bathing facility, and laundry area.

22.3 All backflow devices shall meet the design specifications for their intended use. All potable water supplies shall be protected from sources of potential contamination.

23.0 Heating, Ventilation and Air-Conditioning (HVAC) Systems

- 23.1** Each licensee shall ensure that each guest room has heating, ventilation, and related heating and ventilation equipment, ~~unless only in operation May – September.~~
- 23.1.1** All equipment shall be installed according to the manufacturer's directions and shall be kept in operating condition.
- 23.1.2** A means to control the temperature in the guest room shall be provided in each guest room that is furnished with a separate heating or air-conditioning unit.
- 23.1.3** If the guest room has air-conditioning, the air-conditioning system shall meet the requirements specified in paragraphs 23.1.1 and 23.1.2.
- 23.2** Un-vented fuel-fired heaters, un-vented fireplaces, and similar devices ~~and portable electrical space heaters~~ shall be prohibited from use in all areas of the lodging establishment, ~~unless designed by the manufacturer for commercial use and approved by the regulatory authority. The following conditions shall be met:~~
- 23.2.1** ~~The un-vented fuel fired heater, un-vented fireplace, or similar device or the portable electrical space heater is not the primary source of heat.~~
- 23.2.2** ~~The un-vented fuel fired heater, un-vented fireplace, or similar device or the portable electric space heater is not used in a guest room.~~
- 23.3** ~~Portable electrical space heaters may be used only if UL listed, fitted with a tip over safety switch, and used in accordance with all manufacturer's instructions.~~
- 23.4** All gas and electric heating equipment shall be equipped with temperature controls.
- 23.5** All gas water heaters, gas furnaces, and other gas heating appliances shall be vented to the outside.
- 23.6** Each furnace room or room containing a gas water heater or any other fuel-fired appliance shall be provided with adequate air for circulation.
- 23.7** Each filter shall be changed according to the manufacturer's specifications.

24.0 Exemptions

- 24.1** ~~Self-catered cottages~~ are exempt from the following sections and subsections: 11.1.1 (baseboards), 11.6 (housekeeping), and 11.7 (extended stay housekeeping).
- 24.2** ~~Children's camps~~ are exempt from the following provisions: 11.1.1 (baseboards), 11.6 (housekeeping), 11.7 (extended stay housekeeping), 11.9.1 (linens), 11.9.2 (linens), 11.9.3 (linens), 11.19 (locks), 11.20 (locks), 11.21 (cribs), 12.2.1 (dishware storage), 12.2.2 (dishware storage), 12.3 (sanitization), and 16.0 (ice dispensing).

CHAPTER 5, SUBCHAPTER 2A: Lodging Establishments

301. ROOMS

No room shall be used as a sleeping room which does not have at least one standard window located on an outside wall and capable of being opened to admit fresh air or equivalent means of ventilation. The floor, walls and ceiling of each sleeping room, whether in a hotel, inn, house or cabin and also any access hallways must be kept clean and in good repair. Each sleeping room, hallway, bath and toilet room must be well lighted and ventilated.

302. FURNISHINGS AND BEDDING

The furnishings in every room and cabin shall be kept clean. All bedding, including mattresses, blankets, pillows and sheets must be thoroughly aired and kept clean. No bedding shall be used which is worn out and unfit for further use. Bed linen shall be changed and laundered after use by each separate guest. Individual cakes of soap, which shall be discarded after being used in a guest room or liquid or powdered soap in dispensers, shall be used.

303. DRINKING WATER

Water served for drinking, washing, baths or showers shall be from a source approved by the Department of Health and shall be distributed by a system of pipes. Glasses supplied for guest room shall be properly washed and sanitized and kept wrapped in a protective paper or plastic material. If paper or plastic cups are used, they shall be single service and contained in a manner to avoid contamination.

EFFECTIVE DATE 6/16/75